



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)  
DNW Jan-07

BERKELEY LAW & TECHNOLOGY GROUP  
1700NW 167TH PLACE  
SUITE 240  
BEAVERTON OR 97006

**COPY MAILED**

**APR 09 2007**

**OFFICE OF PETITIONS**

In re Application of :  
Rong-Ji Liu : **DECISION ON PETITION**  
Application No. 09/924,883 :  
Filed: 8 August, 2001 :  
Atty Docket No. 112.P14006 :

This is a decision on the petition under 37 CFR 1.59(b), filed on 27 July, 2006, requesting that the docket report submitted with the petition to withdraw the holding of abandonment be expunged.

The petition is **GRANTED-IN-PART**.

On 11 July, 2006, a petition under 37 CFR 1.181 to withdraw the holding of abandonment was filed. Petitioner asserted therein that the Notice of Allowance and Fee(s) Due mailed on 4 October, 2005, was never received. In support, a docket report showing non-receipt of the Office action was submitted. Petitioner additionally provided evidence that a Revocation and Power of Attorney and Change of Correspondence Address was filed on 26 July, 2005.

A review of the record revealed that the Revocation and Power of Attorney and Change of Correspondence Address filed on 26 July, 2006, was not entered until 13 June, 2006. Consequently, the Notice mailed on 4 October, 2005, was mailed to the wrong address due to an Office error. A decision granting the petition was mailed on 7 September, 2006.

37 C.F.R. §1.59 sets forth:

§ 1.59 Expungement of information or copy of papers in application file.

(a)

(1) Information in an application will not be expunged, except as provided in paragraph (b) of this section.

(2) Information forming part of the original disclosure (i.e., written specification including the claims, drawings, and any preliminary amendment

specifically incorporated into an executed oath or declaration under §§ 1.63 and 1.175) will not be expunged from the application file.

(b) An applicant may request that the Office expunge information, other than what is excluded by paragraph (a)(2) of this section, by filing a petition under this paragraph. Any petition to expunge information from an application must include the fee set forth in § 1.17(h) and establish to the satisfaction of the Director that the expungement of the information is appropriate in which case a notice granting the petition for expungement will be provided.

(c) Upon request by an applicant and payment of the fee specified in § 1.19(b), the Office will furnish copies of an application, unless the application has been disposed of (see §§ 1.53(e), (f) and (g)). The Office cannot provide or certify copies of an application that has been disposed of.

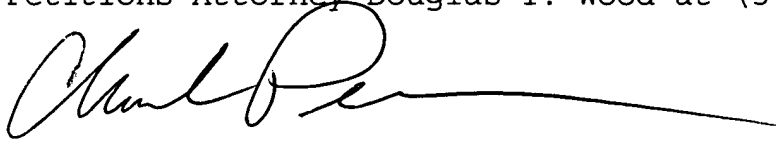
[48 FR 2710, Jan. 20, 1983, effective Feb. 27, 1983; 49 FR 554, Jan. 4, 1984, effective Apr. 1, 1984; 49 FR 48416, Dec. 12, 1984, effective Feb. 11, 1985; 50 FR 23123, May 31, 1985, effective Feb. 11, 1985; revised, 60 FR 20195, Apr. 25, 1995, effective June 8, 1995; revised, 62 FR 53131, Oct. 10, 1997, effective Dec. 1, 1997; para. (b) revised, 65 FR 54604, Sept. 8, 2000, effective Nov. 7, 2000; para. (b) revised, 68 FR 14332, Mar. 25, 2003, effective May 1, 2003; revised, 68 FR 38611, June 30, 2003, effective July 30, 2003]

The matter Petitioner wishes to have expunged does not form part of the original disclosure. Petitioner has included the fee associated with the filing of petition under 37 C.F.R. §1.59 and has established to the satisfaction of the Director that the expungement of this information is appropriate.

Moreover, as the Decision on Petition mailed on 7 September, 2006, established that the Notice mailed on 4 October, 2005, was not received because it was mailed to the wrong address as a result of Office error, the copy of the docket record was not required as a basis for granting the petition.

As such, the electronic documents which contain these pages have been closed in the Office's Image File Wrapper software viewing program. The paper documents will not be removed from the physical file however, as the Office does not remove papers from paper files which have been scanned.

The general phone number for the Office of Petitions, which should be used for status requests, is (571) 272-3282. Telephone inquiries regarding *this decision* should be directed to Senior Petitions Attorney Douglas I. Wood at (571) 272-3231.

A handwritten signature in black ink, appearing to read 'Charles A. Pearson', with a long horizontal flourish extending to the right.

Charles A. Pearson  
Director, Office of Petitions